

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.19743 of 2015
Decided on : 16.03.2016**

Rirku Ram
... Petitioner

Versus

State of Punjab others
... Respondents

(2)

CWP No.19730 of 2015

Pardeep Singh
... Petitioner

Versus

State of Punjab and others
... Respondents

(3)

CWP No.19744 of 2015

Surinder Singh
... Petitioner

Versus

State of Punjab and others
... Respondents

(4)

CWP No.19775 of 2015

Sardool Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. M.K. Dogra, Advocate
for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

G.S. Sandhawalia, J. (Oral)

The present order shall dispose of four writ petitions i.e. ***CWP Nos. 19743, 19730, 19744 and 19775 of 2015.*** The facts are being taken from ***CWP No. 19743 of 2015 titled as 'Rirku Ram Vs. State of Punjab and others'.***

The petitioner had been working with respondents No.2 and 3 at Ranjit Sagar Dam Project, Shahpur Kandi Township, Pathankot. The grievance is regarding right of retiral benefits and interest element on account of delayed payments.

The case of the petitioner is that he had been working as Dumper Operator and had retired on 31.01.2015. However, written representation was given on 03.03.2015 for payment of the retiral dues and resultantly the present writ petition has been filed.

In the reply filed by respondent No.2, the said fact is

not denied that the petitioner had been voluntary retired from Government Service on 31.01.2015. The details of payment released on various dates have been mentioned as per the chart given below:-

Sr. No.	Description	Amount	Date of Payment	Remarks
1.	GPF	2,09,473/-	Payment made vide GDR 04050615015401 dated 5-6-2015	-
2.	Leave encashment	2,67,041/-	Payment made vide GDR 041706150096001 dated 17-6-2015	-
3.	DCRG	6,90,360/-	Payment made vide GDR 040110150130001 dated 1-10-2015	-
4.	GIS	10,908/-	Payment made vide GDR 040110150130001 dated 1-10-2015	-

It has been further averred that that regular pension basic+D.A has been sanctioned and disbursed from 15.06.2015 and other retiral dues had also been released, but the delay was due to the lengthy departmental procedure and delay was also regretted. Thus, it would be apparent that payments have been made after 5 to 9 months.

Counsel for the petitioner submits that in view of the Full Bench Judgment of this Court in '**A.S. Randhawa Vs. State of Punjab and others'** 1997 (3) SCT 468 after two months of retirement, the petitioner is entitled for interest on account of the delay in release of the retiral benefits, in case there is no legal impediment. Therefore, keeping in view the dictum of law laid

down by this Court in the case of **A.S. Randhawa (supra)**, a direction is issued to the respondents to pay interest from 01.04.2015 on delayed payments in the case of Rirku Ram and in other cases after two months from the date of retirement till the date of disbursement. The interest will be paid @ 7% per annum under all headings. The said interest element will be paid within two months from the date of receipt of the certified copy of this order. In case, the same is not paid within the said period, the petitioner will be entitled for interest @ 10% per annum.

With the above observations, the present writ petitions are disposed of.

MARCH 16, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE